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**BEFORE THE INSURANCE COMMISSIONER**  
**OF THE STATE OF CALIFORNIA**

In the Matter of the rating practices of  
FARMERS INSURANCE EXCHANGE  
and MID CENTURY INSURANCE  
COMPANY

File No. NC-2017-00003

*HARRIS v. FARMERS* PLAINTIFFS'  
REQUEST FOR FINDING OF ELIGIBILITY  
TO SEEK COMPENSATION

[Ins. Code §1861.10; Cal. Code Regs, tit. 10, §  
2662.2]

Roger Harris, Duane Brown, and Brian Lindsey, Plaintiffs in *Harris v. Farmers*, L.A.  
Superior Court Case No. BC579498 (“Plaintiffs”), as represented by counsel, hereby request a  
finding of eligibility to seek compensation pursuant to Cal. Code Regs. tit. 10 §2662.2 in the  
above-captioned matter before the California Department of Insurance (“CDI”). In support of  
their request, Plaintiffs allege:

1. Pursuant to CCR § 2662.2(a), a person representing the interests of consumers  
seeking to participate in a matter before the Department may provide to the Public Advisor a

1 verified request for finding of eligibility to seek compensation in connection with such  
2 participation. Pursuant to CCR § 2662.2(a)(1), such a request must include a showing that the  
3 person “represents the interests of consumers, including a description of the previous work of the  
4 intervenor or participant.”

5  
6 2. CCR § 2661.1(j) defines “Represents the Interests of Consumers” to mean that  
7 “the intervenor represents the interests of individual insurance consumer[s]”

8 3. As required by CCR § 2662.2(a)(1) Plaintiffs represent “the interests of individual  
9 consumers.” In particular, they represent their own interests and those of the putative class of  
10 California consumers in *Harris v. Farmers*.<sup>1</sup>

11 4. On April 22, 2015, Plaintiffs filed their complaint in *Harris v. Farmers*, on behalf  
12 of a putative class of California insureds, alleging that Farmers Insurance Exchange and Mid  
13 Century Insurance Company, respondents here, have been engaging in price optimization--  
14 considering elasticity of demand in calculating premiums--in violation of California law.

15  
16 5. Farmers Insurance Exchange and Mid Century Insurance Company moved to  
17 dismiss Plaintiffs’ complaint and Plaintiffs opposed that motion. The L.A. Superior Court denied  
18 the motion, in part, and stayed Plaintiffs’ putative class action pending referral to the  
19 Commissioner the question whether Farmers has been considering elasticity of demand in  
20 calculating premiums.  
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25 <sup>1</sup> Since Plaintiffs are not a “group representing the interests of consumers” within the meaning of  
26 CCR § 2662.2(a)(2), the requirements of CCR § 2662.2(a)(2)(A)-(G) are not applicable to their  
27 request.  
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**VERIFICATION OF JAY ANGOFF IN SUPPORT OF *HARRIS v. FARMERS***  
**PLAINTIFFS' REQUEST FOR FINDING OF ELIGIBILITY TO SEEK**  
**COMPENSATION**

Mehri & Skalet, PLLC

I, Jay Angoff, verify:

1. I am one of the counsel for Plaintiffs in *Harris v. Farmers*, L.A. Superior Court Case No. BC579498. If called as a witness, I could and would testify competently to the facts stated in this verification.

2. I personally prepared the pleading titled, "*Harris v. Farmers* Plaintiffs' Request for Finding of Eligibility to Seek Compensation" filed in this matter. All of the factual matters alleged therein are true of my own personal knowledge, or I believe them to be true based on my inquiry and investigation.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 26, 2017 at Washington, D.C.

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/ s /  
Jay Angoff